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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION**

DENISE FABRIZIUS and
WILLIAM FABRIZIUS,
Plaintiffs,

vs.

DR. KEITH R. SHULTZ, M.D.,
YELLOWSTONE SURGERY
CENTER, DOES 1 through X, and
DOES 1 through X, inclusive,

Defendants.

Cause No.: 08-114-BLG-RFC

**Plaintiff's Motion for Partial
Summary Judgment Regarding
Yellowstone Surgery Center's
Liability for the Actions of Dr.
Keith Shultz**

Plaintiffs Denise Fabrizio and William Fabrizio hereby
move this Court for partial summary judgment finding Yellowstone Surgery
Center ("YSC") is liable for the actions of Dr. Keith R. Shultz while
performing his duties at Yellowstone Surgery Center. This motion is
supported by Plaintiffs' Brief in Support.

The undersigned has contacted counsel for Defendant YSC and he objects to this motion.

Dated this 31st day of August, 2009.

/s/ David R. Paoli

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